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	<u>Tammy BERMAN</u>
Typed or printed name of person signing certificate	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Keith Johnson

Serial No.: 09/662,195

Art Unit: 1616

Filed: September 14, 2000

Examiner: S. Gollamudi

For: APPLICATION OR WATER NANOCLUSTERS TO SKIN

RESPONSE TO OFFICE ACTION

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated January 27, 2004, Applicant requests consideration in view of the following Remarks:

REMARKS

Applicant notes that (1) Claims 1-3, 6-11 and 15-26 are pending in this application, (2) the rejection set forth in the August 12, 2002 Office Action of this same claims under 35 USC 103(a) as being unpatentable over EP 0916621 in view of Johnson et al, U.S. Patent No. 5,800,576 ("Johnson et al.") has not been re-asserted and (3) the rejection set forth in the November 11, 2001 Office Action under 35 USC 103(a) as being unpatentable over EP 0916621 in view based in part upon the Lorenzen (U.S. Patent No. 5,711,950) and Lefebvre (U.S. Patent No. 4,165,385, which was not re-asserted in the August 12, 2002 Office Action, is in part now being re-asserted in the present Office Action. Applicant respectfully submits that the current "not previously re-asserted" rejection still is improper for reasons set forth in Applicant's previous responses and as further explained below.



Law Offices of Eugene Berman

26 Cedarwood Court
Rockville, MD 20852

April 20, 2004

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: Response to Office Action U.S. Patent Application Serial No. 09/662,195

Gentleman/Ladies:

Enclosed is a Response to Office Action dated January 27, 2004 in the above-identified patent application

Please acknowledge your receipt of this application and fee by date stamping and returning the enclosed postage paid postcard receipt.

If there are any questions, please contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Eugene Berman".

Eugene Berman
Reg. No. 22,587